

UNITED STATES DISTRICT COURT

for the

District of New Mexico



United States of America

v.

Leonard John Lucero

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)
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)
)
)
)Case No. **23 MJ 16***Defendant(s)*

FILED
 United States District Court
 Albuquerque, New Mexico

Mitchell R. Elfers
 Clerk of Court

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 5, 2023 in the county of Bernalillo in the
District of New Mexico, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. §§ 922(g)(1) and 924

Felon in possession of a firearm and ammunition.

This criminal complaint is based on these facts:

Refer to the attached affidavit.

☒ Continued on the attached sheet.*Complainant's signature*

Bryan Acee, FBI Special Agent

Printed name and title

Electronically submitted and telephonically sworn.

Date: January 6, 2022*Judge's signature*City and state: Albuquerque, New Mexico

John F. Robbenhaar, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

Introduction

I, Bryan M. Acee, being duly sworn, depose and state:

1. I am employed as a Special Agent with the Federal Bureau of Investigation (FBI) and am currently assigned to the Albuquerque Violent Gang Task Force (VGTF). I have been a law enforcement officer for 23 years and have been recognized as an expert witness within the U.S. District Court of New Mexico on numerous occasions in the area of drug possession with intent to distribute, drug trafficking, firearms recognition, and firearms possession in relation to drug trafficking.

2. I am submitting this affidavit in support of a criminal complaint and arrest warrant charging LEONARD J. LUCERO with violations of 18 U.S.C. §§ 922(g)(1) and 924 being a felon in possession of a firearm and ammunition.

Statement of Probable Cause

3. On January 4, 2023, members of the FBI Violent Gang Task Force (VGTF) executed federal search warrants at the residence of LEONARD J. LUCERO and four storage units rented by LUCERO. The search warrant authorized agents to collect a DNA sample from LUCERO and search the premises for controlled substances, firearms, ammunition, and evidence of drug trafficking (U.S. District Court search warrant #23-MR-8).

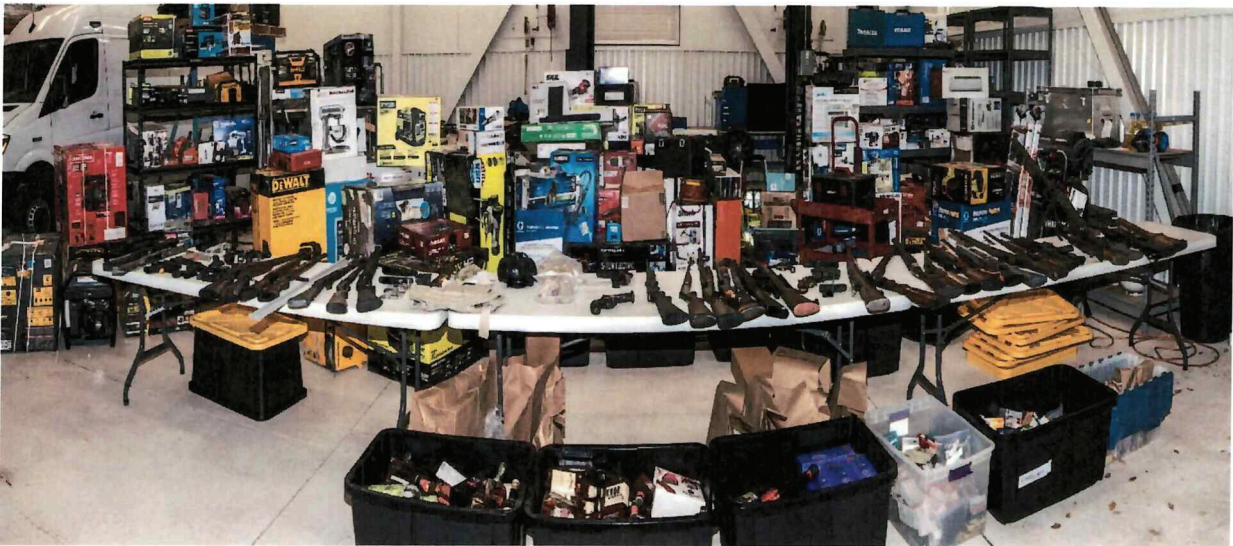
4. At approximately 6:30 a.m., agents arrived at LUCERO's residence, 10038 2nd St. NW, Albuquerque, New Mexico 87114¹ and initiated knock and announce. LUCERO's father answered the door and exited the premises, followed by three other adults. LUCERO's vehicle and several boxes of personal items were located in the house; however, he was not home. During a search of the residence, agents located and seized 15 firearms and more than 1000 rounds of ammunition.

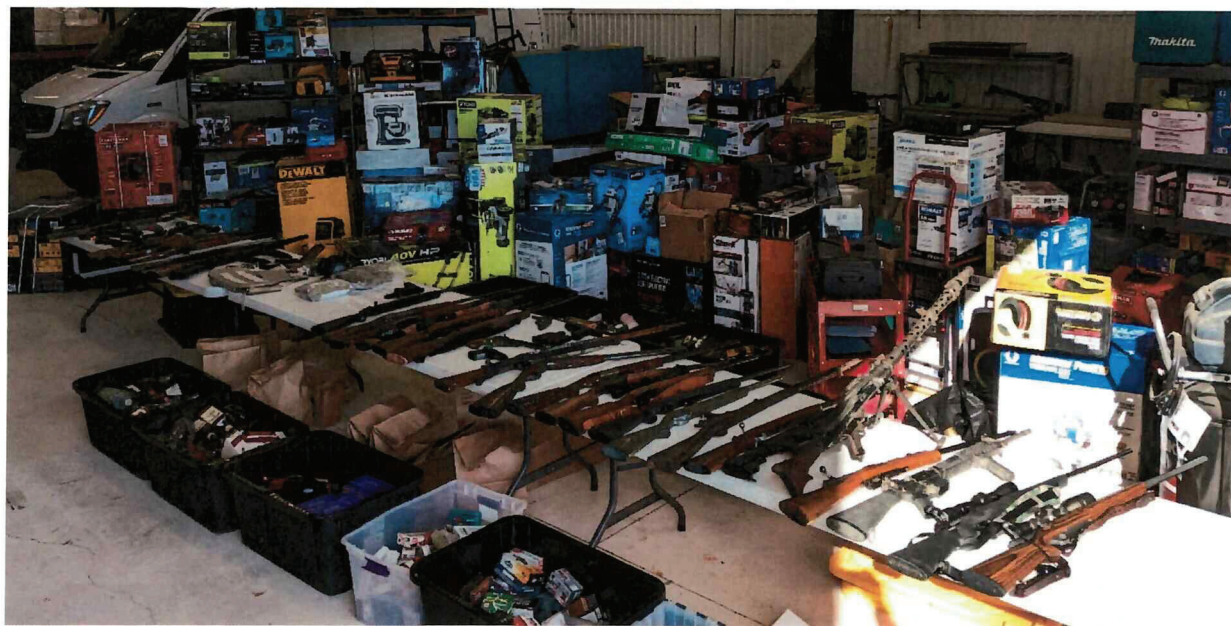
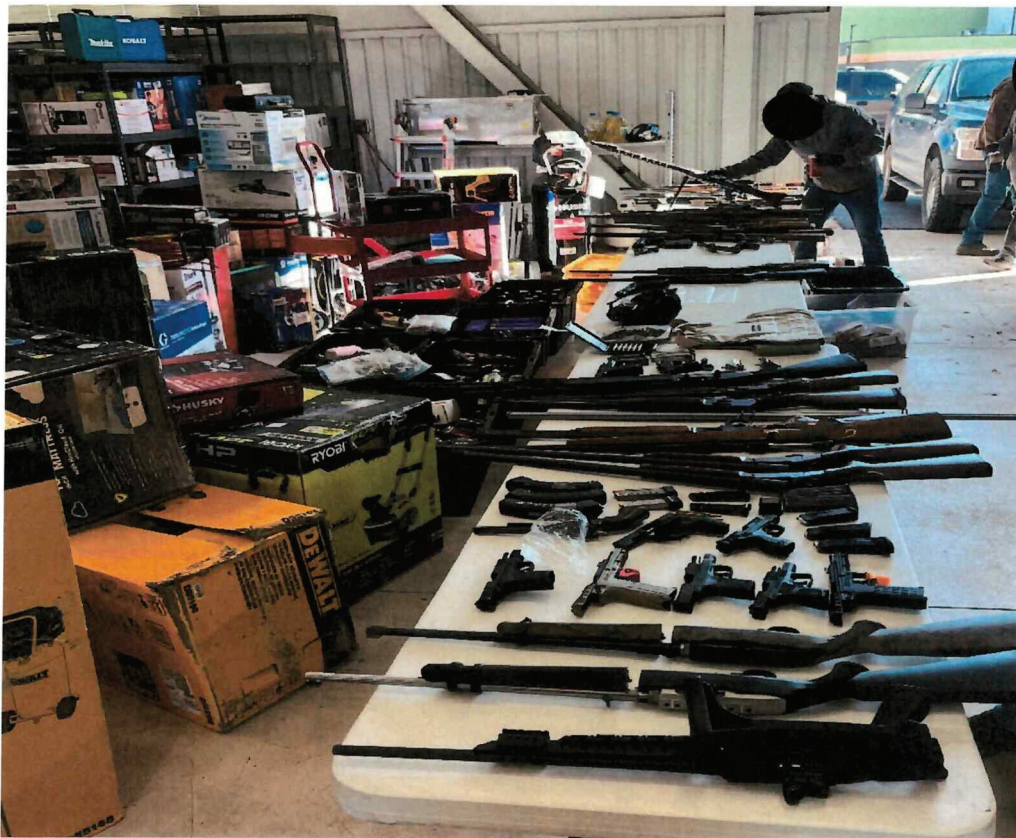
¹ Official Bernalillo County property assessor records list the property address as 101 Sanchez Road NW, Albuquerque, NM 87114; however, LUCERO's New Mexico driver's license, vehicle registration, and Google Maps list the address 10038 2nd Street NW, Albuquerque, NM 87114. Official law enforcement and state court records pertaining to LUCERO list both the Sanchez Road and 2nd Street addresses. I believe the two addresses are one in the same and will use the 2nd Street address herein.

5. At approximately 7:40 a.m., agents executed search warrants on LUCERO's four storage units, located at StorWise Self Storage 10130 2nd Street NW, Albuquerque. During a search of the storage units, agents recovered 36 firearms and thousands of rounds of ammunition from the four storage units. All four units were filled to capacity with hundreds of suspected stolen items, to include more than 300 bottles of rum, whiskey, gin, vodka, champagne, tequila, and other alcoholic beverages, power tools, air compressors, chain saws, large screen TVs, power washers, vacuum cleaners, appliances, and other expensive products. Agents estimated the value of the stolen merchandise to be in excess of \$100,000. Several large bags of marijuana were also located in the storage units.

6. In total, fifty-one (51) firearms and several thousand rounds of ammunition were seized from the premises searched. Some of the firearms were located inside containers or bags that also contained mail in LUCERO's name. As I previously mentioned, all four storage units were rented by LUCERO. I examined several of the firearms and cartridges of ammunition and noted all to have been manufactured outside the State of New Mexico.

7. Photographs of the aforementioned items and firearms follow:





Relevant Criminal History:

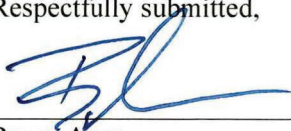
8. LUCERO has three felony convictions and two domestic violence misdemeanor convictions, all of which prohibit him from possessing a firearm or ammunition. Details pertaining to the convictions follow:

- a) possession of a controlled substance (originally charged as trafficking a controlled substance), Bernalillo County Case No. D-202-CR-2013-5031;
- b) possession of a controlled substance (originally charged as trafficking a controlled substance), Bernalillo County Case No. D-202-CR-2012-5000;
- c) possession of a controlled substance (originally charged as felon in possession of a firearm), Bernalillo County Case No. D-202-CR-2012-0250;
- d) misdemeanor domestic violence battery, Bernalillo Co. Case No. T-4-DV-2007-3262;
- e) misdemeanor domestic violence battery, Bernalillo Co. Case No. T-4-DV-2007-3262;

CONCLUSION

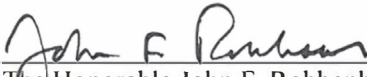
9. Based on the above information, I believe there is probable cause to charge LUCERO with violations of 18 U.S.C. §§ 922(g)(1) and 924 being a felon in possession of a firearm and ammunition. This criminal complaint was approved by Supervisory Assistant U.S. Attorney Tim Vasquez.

Respectfully submitted,



Bryan Acee
FBI Special Agent

Electronically submitted and telephonically sworn on January 6, 2023.


The Honorable John F. Robbenhaar
United States Magistrate Judge
District of New Mexico